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Jc780 U.S. PTO

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-66167-1/ENB

Anticipated Classification of  
this Application:

Class: 369 Subclass: 112.000

Prior Application:

Examiner: N. Hindi

Art Unit: 2753

"EXPRESS MAIL" MAILING LABEL

NUMBER EL170352041US

DATE OF DEPOSIT March 14, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITE  
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POS  
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DAT  
INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT  
APPLICATION FEE, ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, DC 20231.

TYPED NAME Kari Bateman

SIGNED

*Kari Bateman*

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
- ☐ Continuation
- ☒ Divisional
- ☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of John H. Jerman, John Grade, Joseph Drake, and Kurt E. Petersen (Names of ALL Applicants), for OPTICAL MICROSITCH (Title of Invention). This  
\_ continuation XX divisional \_ continuation-in-part claims priority to pending application Serial No.  
09/135,236, filed on August 17, 1998.

1. (a) ☐ Enclosed is a new application.  
(b) ☐ Enclosed is a continuation-in-part application.  
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.  
(b) ☒ Enclosed is a copy of the prior executed Declaration as originally filed.  
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

Jc564 U.S. PTO  
09/524727  
03/14/00

3. (a) ☐ Enclosed is a Small Entity Affidavit.  
(b) ☐ A Small Entity Affidavit is of record in the prior application.

4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

		SMALL ENTITY		OTHER THAN A SMALL ENTITY			
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE						\$345	OR \$690
TOTAL CLAIMS	<u>34</u>	<u>-20 =</u>	<u>* 14</u>	<u>x 9 = \$</u>		OR x 18 =	<u>\$ 252</u>
INDEP CLAIMS	<u>4</u>	<u>-3 =</u>	<u>* 1</u>	<u>x 39 = \$</u>		OR x 78 =	<u>\$ 78</u>
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED				<u>+130 = \$</u>	OR	<u>+260 = \$</u>	
*If the difference in Col. 1 is less				TOTAL	<u>\$</u>	OR	TOTAL <u>\$ 1,020</u>

than zero, enter "0" in Col. 2.

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-66167-1/ENB).

6. ☒ Our checks in the amount of \$ 690.00 and \$330.00 totalling \$1,020.00 are enclosed.

7. ☒ Cancel in this application original claims 18-20 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☐ Amend the specification by inserting before the first line the sentence:

9. (a) ☐ Informal drawings are enclosed,     sheets.

- (b) ☒ Formal drawings are enclosed, 18 sheets.

10. (a) ☒ Priority of application Serial No. 09/135,236 filed on August 17, 1998 in the U.S. Patent and Trademark Office, which claims priority to U.S. provisional patent application Serial No. 60/071,038 filed January 13, 1998, claimed under 35 U.S.C. 119.

- (b) ☐ The certified copy has been filed in prior application Serial No.        filed on       .

11. ☒ An Assignment is enclosed.

12. ☒ The prior application is assigned of record to Seagate Technology, Inc..

13. ☐ A Power of Attorney by Assignee is enclosed.  
14. ☐ The power of attorney in the prior application is to:

\_\_\_\_\_  
(name)

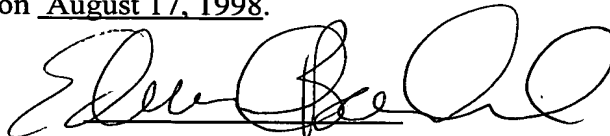
\_\_\_\_\_  
(address)

- (a) ☒ The power appears in the original papers in the prior application.  
(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c) ☒ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989  
Attention: Edward N. Bachand

15. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)  
16. ☒ A Prior Art Statement is enclosed.  
17. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/135,236 as originally filed on August 17, 1998.

Date: March 14, 2000



Edward N. Bachand

Registration No. 37,085

Address of Signer:

☒ Attorney of record

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco CA 94111-4187

Telephone: (415) 781-1989 Facsimile: (415) 398-3249

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Filed under Section 1.34(a)